

**REMARKS**

In the Office Action, the Examiner rejected pending claims 1-29. Claims 1-29 remain pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

**Rejection Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1-29 under 35 U.S.C. § 102(e) as being anticipated by Carlton et al. (U.S. Patent No. 6,061,717), hereinafter referred to as Carlton. Claims 1, 11, 20, and 24 are independent. Applicants respectfully traverse this rejection.

***Legal Precedent***

During patent examination, the pending claims must be given an interpretation that is reasonable and consistent with the specification. *See In re Prater*, 415 F.2d 1393, 1404-05, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); *see also* M.P.E.P. §§ 608.01(o) and 2111. Indeed, the specification is “the primary basis for construing the claims.” *See Phillips v. AWH Corp.*, No. 03-1269, -1286, at 13-16 (Fed. Cir. July 12, 2005) (citations omitted). Interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. *See In re Cortright*, 165 F.3d 1353, 1359, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999); M.P.E.P. § 2111. “The inquiry into how a person of ordinary skill in the art understands a claim term provides an objective baseline from which to begin claim interpretation.” *See Collegenet, Inc. v. ApplyYourself, Inc.*, No. 04-1202, -1222, 1251, at 8-9 (Fed. Cir. August 2, 2005) (quoting *Phillips*). Moreover, “[d]ictionaries or comparable sources are often useful to assist in understanding the commonly understood meaning of words . . . in claim interpretation.” *See Phillips*, at 33.

Further, anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102,

every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). The prior art reference must show the *identical* invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

### ***Independent Claims***

Independent claim 1 recites, *inter alia*, “transmitting data corresponding to the logical block [of the screen display] . . . and caching display data for at least the logical block.” Similarly, independent claims 11 and 20 recite, *inter alia*, “designating a portion of the screen at the controlled computer based upon the input event data and . . . caching the portion of the screen.” Lastly, independent claim 24 recites, *inter alia*, “a controlling computer receiving screen data” and “a cache memory . . . configured to cache portions of the interface screen identified by the controlled computer based upon input events.”

In stark contrast, the Carlton reference is directed to the shared use and viewing of an application program in a teleconferencing setting and is absolutely devoid of the caching of screen data. Col. 1, lines 20-44; col. 2, line 41 – col. 3, line 9; col. 3, lines 15-53; Fig. 1. Instead, the Carlton system updates display information by capturing, transferring, and implementing GDI calls, and does *not* designate or cache actual screen or display data. *See* col. 2, lines 41-57; col. 8, lines 15-48; col. 10, lines 16-55 (explaining that “the displays are not replicated bit-by-bit.”). Clearly, the Carlton GDI calls are recaptured each time they are transferred from one computer to another computer, conflicting with the approach of caching such information. *See, e.g., id.* Carlton does not cache the display data because Carlton relies on the fully recaptured GDI calls to update the screen displays. *See id.* Moreover, the bitmap object that may be transferred in Carlton is stored in conventional memory, *not* cache. *See* Carlton, col. 10, lines 58-62; Final Office Action, page 3 (implying, erroneously, that the transferred bitmap object in Carlton is stored in cache memory).

Further, the Examiner has imposed an unreasonably broad meaning on the claim terms “caching” and “cache memory.” *See, e.g.*, Final Office Action, pages 6-7 (defining “caching” as the “storage of information in a memory buffer used to decrease access time to frequently used data.”). The Examiner’s unduly broad definition of “caching” would read incorrectly, for example, on conventional random access memory (RAM). *See id.* In view of the present specification and customary meaning in the art, the claim terms “caching” and “cache memory” are clearly not disclosed in Carlton. *See, e.g.*, Carlton, col. 10, lines 58-62; Specification, page 6, lines 25-27 (differentiating between cache memory and other memory types, such as conventional RAM); WEBSTER’S NEW WORLD COMPUTER DICTIONARY 59 (10th ed. 2003) (defining “cache memory” as a “small unit (typically ranging in size from a few kilobytes to 256K or 512K) of ultra-fast memory that is used to store recently accessed or frequently accessed data so that the microprocessor does not have to retrieve this data from slower memory circuits.”). Cache that is “built directly into the microprocessor’s circuits” is called “primary” or “L1” cache, and cache that is “contained on an external circuit” is called “secondary” or “L2” cache. WEBSTER’S NEW WORLD COMPUTER DICTIONARY 59 (10th ed. 2003). Plainly, Carlton does not teach cache memory or the caching of screen data, as claimed.

Accordingly, for these reasons, the Carlton reference cannot anticipate the independent claims 1, 11, 20, and 24, or the claims dependent thereon. Therefore, Applicants respectfully request withdrawal of the rejections of claims 1-29 under 35 U.S.C. § 102(e) and allowance of claims 1-29.

### ***Dependent Claims***

While the dependent claims are believed to patentable by virtue of their dependency on an allowable base claim, the dependent claims are also patentable because of the subject matter they separately recite. For example, dependent claim 3 recites “wherein the data corresponding to the logical block includes data representative of coordinates of a perimeter of the logical block.” (Emphasis added). In contrast, while the Carlton reference replicates selected windows, Carlton does not teach the transfer of screen

data representative of coordinates of a perimeter of the selected window. *See, e.g.*, col. 8, lines 26-40. After all, the Carlton system relies on the transfer of GDI calls, and not actual screen data, to replicate the selected windows. *See* col. 2, lines 41-57; col. 8, lines 15-48; col. 10, lines 16-55. Applicants respectfully request that the Examiner withdraw the foregoing rejection and allow the claims.

### **Rejections Under 35 U.S.C. § 103**

The Examiner rejected claims 1-29 under 35 U.S.C. 103(a) as being unpatentable over Mairs et al. (U.S. Patent No. 6,216,177), hereinafter referred to as Mairs, in view of the Carlton reference. Applicants respectfully traverse this rejection.

### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). To establish a *prima facie* case, the Examiner must not only show that the modified reference includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the reference. *See Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). The Examiner must provide objective evidence, rather than subjective belief and unknown authority, of the requisite motivation or suggestion to modify the cited reference. *In re Lee*, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002). One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988).

### ***Independent Claims***

All independent claims recite, *inter alia*, a “controlling computer” and a “controlled computer.” In contrast, Mairs discloses a host computer and a shadow computer that share an application program and do *not* control each other. *See, e.g.*, col. 1, lines 11-14 and 25-27; col. 2, lines 14-19; col. 4, lines 40-59. While either the host computer or the shadow computer may input data to the shared application, the Mairs reference is notably absent of a

typical scheme where one computer controls another computer. *See, e.g.*, col. 1, lines 26-43; col. 5, lines 12-16. As discussed, the Carlton reference is similarly deficient. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness with respect to the independent claims 1, 11, 20, and 24, and the claims dependent thereon.

Further, independent claim 1 recites, *inter alia*, “transmitting data corresponding to the logical block *from* the controlled computer *to* the controlling computer.” (Emphasis added). Independent claim 11 recites, *inter alia*, “transmitting screen data representative of the screen [of the controlled computer] for display at a controlling computer.” Independent claim 20 recites, *inter alia*, “transmitting screen data [of the controlled computer] for display at a plurality of controlling computers.” Independent claim 24 recites, *inter alia*, “the controlling computer receiving screen data [of the controlled computer] via the network for display [at the controlling computer].”

In contrast, the Mairs reference is directed to the shared use of a given application program between two computers, with inputs at the computers processed by a “shared system.” *See, e.g.*, col. 1, lines 11-14 and 25-27; col. 2, lines 14-19; col. 4, lines 40-59. Quite the opposite of the present claims, the simultaneous display of screen output is achieved in Mairs by transmitting display data from the host computer to the remote or shadow computer. *See* Mairs, Abstract. This is also true where the host computer and remote computer reverse roles. *See* Mairs, col. 7, lines 26-48. In other words, the computer (whether the host computer or the remote computer) that manipulates the shared application program (i.e., via the “Shared system”) does not receive screen data from the opposite computer reflecting the changes to the display at the opposite computer. *See, e.g.*, col. 1, lines 11-14 and 25-27; col. 2, lines 14-19; col. 4, lines 40-59. For example, while the screen of the *remote* computer is updated to reflect the entry made to the shared application by the host computer, it is clear that because the host computer is not controlling the remote computer, there is no need for the user of the host computer to view its manipulation of the shared application as displayed on the remote computer. *See, e.g., id.* Mairs is absolutely devoid of transferring data from a controlled computer to a controlling computer.

Similarly, and as discussed above, Carleton discloses the use of GDI calls that are sent *from* the host computer *to* the collaborating computer. As with Mairs, there is no reason for the host computer to receive the view of the screen as displayed at the collaborating computer. First, the host computer does not control the collaborating computer. Second, unlike in presently-claimed controlling/controlled scheme, the user of the Mairs host computer views the effect of his input via execution of the manipulated application *at the host computer*.

Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness with respect to independent claims 1, 11, and 24, and the claims dependent thereon, for these reasons as well.

#### ***Dependent Claims***

The dependent claims are believed to patentable by virtue of their dependency on an allowable base claim, and because of the subject matter they separately recite. Accordingly, Applicants respectfully request that the Examiner withdraw the foregoing rejection and allow the claims.

**Conclusion**

In view of the foregoing remarks, it is believed that the pending claims are clearly allowable over all of the cited prior art. Accordingly, reconsideration and allowance of all pending claims are requested. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: 7/13/2005

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